

DOCKET NO.: MOR-0251
Application No.: 10/714,228
Office Action Dated: November 24, 2009

PATENT

REMARKS

Claims 62-66, 68-70, 73-78, 81-88, 91-99, 135, 136, and 139-150 are pending in the application. Claims 64, 65, 68, 75-77, 83, 84, 88, 93, 94, 97, and 139-150 are allowed. Claims 62, 63, 66, 69, 70, 73, 74, 78, 81, 82, 85-87, 91, 92, 95, 96, 98, 99, 135, and 136 are rejected under 35 U.S.C. § 103 for alleged obviousness over U.S. Patent No. 6,808,894 in view of Borrebaeck *et al.*, *Adv. Drug Del. Rev.*, 1988, 2:143-165. The subject matter of U.S. Patent No. 6,808,894 and the claimed invention were commonly owned, or subject to an obligation of assignment to a same person, at the time the claimed invention was made, thereby disqualifying the patent as prior art under section 103(c). Withdrawal of the rejection is respectfully requested.

Conclusion

Applicants believe that the foregoing constitutes a full and complete response to the Office Action of record. An early and favorable action on the merits is respectfully requested. Should any issues remain unresolved by the present response, the examiner is invited to contact the undersigned at 215.564.8978.

Respectfully submitted,

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